

SB0481



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0481

Introduced 2/8/2007, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

755 ILCS 5/18-1.1

from Ch. 110 1/2, par. 18-1.1

Amends the Probate Act of 1975. Provides that a statutory custodial claim against the estate of a deceased disabled person made by a close relative of the disabled person who cared for the disabled person by living with and personally caring for the disabled person for at least 3 years is based on the degree of the person's disability, as follows: 100% disability \$180,000 (at present, \$100,000); 75% disability \$135,000 (at present, \$75,000); 50% disability \$90,000 (at present, \$50,000); and 25% disability \$45,000 (at present, \$25,000).

LRB095 06275 AJ0 26370 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Probate Act of 1975 is amended by changing
5 Section 18-1.1 as follows:

6 (755 ILCS 5/18-1.1) (from Ch. 110 1/2, par. 18-1.1)

7 Sec. 18-1.1. Statutory custodial claim. Any spouse,
8 parent, brother, sister, or child of a disabled person who
9 dedicates himself or herself to the care of the disabled person
10 by living with and personally caring for the disabled person
11 for at least 3 years shall be entitled to a claim against the
12 estate upon the death of the disabled person. The claim shall
13 take into consideration the claimant's lost employment
14 opportunities, lost lifestyle opportunities, and emotional
15 distress experienced as a result of personally caring for the
16 disabled person. The claim shall be in addition to any other
17 claim, including without limitation a reasonable claim for
18 nursing and other care. The claim shall be based upon the
19 nature and extent of the person's disability and, at a minimum
20 but subject to the extent of the assets available, shall be in
21 the amounts set forth below:

22 1. 100% disability, \$180,000 ~~\$100,000~~

23 2. 75% disability, \$135,000 ~~\$75,000~~

1 3. 50% disability, \$90,000 ~~\$50,000~~

2 4. 25% disability, \$45,000 ~~\$25,000~~

3 (Source: P.A. 87-908.)